

10/60/01
jc882 U.S. PTO

1 - 8 - 0 2 A

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 76712/13588

First Inventor CARY A. JARDIN

Title SYSTEM AND METHOD FOR...

Express Mail Label No. EL379159085US

J1000 U.S. PTO
10/03/9465
11/09/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 13]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 5]

5. Oath or Declaration [Total Pages 18]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

a. Computer Readable Form (CRF)

b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper

c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent

17. Express Mail Certificate
Other: Letter

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

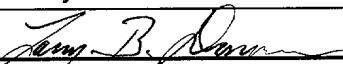
Prior application information: Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS
 Customer Number or Bar Code Label 
(Insert Customer No. or Attach bar code label here)
or Correspondence address below

| | | | |
|---------|---------------------------|----------|--|
| Name | PATENT & TRADEMARK OFFICE | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|-------------------------------------------------------------------------------------|-----------------------------------|------------|
| Name (Print/Type) | Larry B. Donovan | Registration No. (Attorney/Agent) | 47,230 |
| Signature |  | Date | 11/09/2001 |

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

370.00

Complete if Known

| | |
|----------------------|----------------|
| Application Number | - |
| Filing Date | Herewith |
| First Named Inventor | CARY A. JARDIN |
| Examiner Name | UNKNOWN |
| Group Art Unit | UNKNOWN |
| Attorney Docket No. | 76712/13588 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0902 (76712/13588)**
 Deposit Account Name **Arter & Hadden LLP**

Charge Any Additional Fee Required
 Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status
 See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Description | Fee Paid |
|--------------------------|---------------|-------------------------------|---------------|
| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
| 101 | 740 | 201 370 Utility filing fee | \$370.00 |
| 106 | 330 | 206 165 Design filing fee | |
| 107 | 510 | 207 255 Plant filing fee | |
| 108 | 740 | 208 370 Reissue filing fee | |
| 114 | 160 | 214 80 Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | 370.00 |

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------------------|
| Total Claims | 11 | $-20^{**} = 0$ | $\times \$9.00 = 0$ |
| Independent Claims | 3 | $-3^{**} = 0$ | $\times \$42.00 = 0$ |
| Multiple Dependent | | | $0.00 = 0$ |

| Large Entity | Small Entity | Fee Description |
|--------------------------|---------------|------------------------------------------------------------------|
| Fee Code (\$) | Fee Code (\$) | Fee Description |
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 84 | 202 42 Independent claims in excess of 3 |
| 104 | 280 | 204 140 Multiple dependent claim, if not paid |
| 109 | 84 | 209 42 ** Reissue independent claims over original patent |
| 110 | 18 | 210 9 ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|-----------------------------------|---------------|-----------------------------------------------------------------------------------|--------------------------|
| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
| 105 | 130 | 205 65 Surcharge - late filing fee or oath | |
| 127 | 50 | 227 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 130 Non-English specification | |
| 147 | 2,520 | 147 2,520 For filing a request for ex parte reexamination | |
| 112 | 920* | 112 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 55 Extension for reply within first month | |
| 116 | 400 | 216 200 Extension for reply within second month | |
| 117 | 920 | 217 460 Extension for reply within third month | |
| 118 | 1,440 | 218 720 Extension for reply within fourth month | |
| 128 | 1,960 | 228 980 Extension for reply within fifth month | |
| 119 | 320 | 219 160 Notice of Appeal | |
| 120 | 320 | 220 160 Filing a brief in support of an appeal | |
| 121 | 280 | 221 140 Request for oral hearing | |
| 138 | 1,510 | 138 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 55 Petition to revive - unavoidable | |
| 141 | 1,280 | 241 640 Petition to revive - unintentional | |
| 142 | 1,280 | 242 640 Utility issue fee (or reissue) | |
| 143 | 460 | 243 230 Design issue fee | |
| 144 | 620 | 244 310 Plant issue fee | |
| 122 | 130 | 122 130 Petitions to the Commissioner | |
| 123 | 50 | 123 50 Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 40 Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 900 Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |
| *Reduced by Basic Filing Fee Paid | | | SUBTOTAL (3) (\$) |
| | | | 0 |

| | | | |
|-------------------|-------------------------------------------------------------------------------------|--------------------------------------|----------------|
| SUBMITTED BY | | Complete if applicable | |
| Name (Print/Type) | Larry B. Donovan | Registration No. (Attorney/Agent) | 47230 |
| Signature |  | Telephone | (216) 696-3864 |
| Date | 11/09/2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

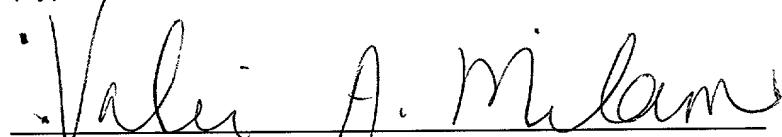
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the attached U.S. Patent Application (along with any other paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on this date November 9, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL379159085US addressed to the: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Valerie A. Milam

(Typed or Printed Name of Person Mailing Paper)



(Signature of Person Mailing Paper)

620855

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application:

APPLICANT : Cary A. Jardin
FOR : SYSTEM AND METHOD FOR
NETWORK AND APPLICATION
TRANSPARENT DATABASE
ACCELERATION
EXPRESS MAIL NO. : EL379159085US
FILED: : Herewith
ART UNIT : Unknown
EXAMINER : Unknown
ATTORNEY DOCKET NO. : 76712/13588

REQUEST

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The attached application is submitted herewith absent a Combined Declaration
and Power of Attorney in accordance with 37 CFR § 1.53(b) and (d). The inventor is as follows:

Cary A. Jardin
12662 Sabre View Cove
San Diego, California 92128

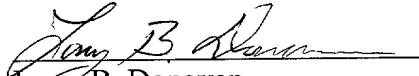
The Patent Office is authorized to charge or credit the Deposit Account No. 50-0902
(76712/13588) for any fees or any credits.

to:

John X. Garred
ARTER & HADDEN LLP
925 Euclid Avenue
1100 Huntington Building
Cleveland, Ohio 44115
Customer No. 23380
Phone: 216/696-3340
Facsimile: 216/696-2645

Respectfully submitted,

ARTER & HADDEN LLP



Larry B. Donovan
Reg. No. 47,230

Date: November 9, 2001

925 Euclid Avenue
1100 Huntington Building
Cleveland, Ohio 44115
216/696-3864

620857